

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA**

In re: Life Time Fitness, Inc.,
Telephone Consumer Protection Act (TCPA)
Litigation

Case No. 14-md-02564 (JNE-SER)
MDL No. 2564

JOINT STATUS REPORT

This document relates to:
All Actions

Pursuant to the Court's Order [Dkt. No. 66] the parties submit this Joint Status Report.

Despite the good-faith participation of all parties and the excellent mediation by Magistrate Judge Rau, the parties were unable to resolve their dispute over the amount of fees to be awarded to Class Counsel. Judge Rau will therefore be issuing an order on Life Time's pending motion to compel discovery relating to the fees motion. [Dkt. 68.]

Because the order has not yet been issued, the parties are not yet in a position to know how long the allowed discovery will take, or whether either party will object to the order.

The parties therefore jointly recommend that the Court require them to submit another status report seven days after Judge Rau has issued his order on the motion to compel. In that status report, the parties will indicate the anticipated schedule on discovery and propose dates to the Court for any briefing on objections, as well as briefing on the fees motion and final approval. The parties will also propose a date for the final approval hearing itself that is consistent with the other dates.

Revising the schedule in light of the fees discovery and briefing will not create any problem with class notice for three reasons. First, the notice provided to the Class informed the Class that the hearing may be postponed to a different date or time. [Dkt 24-3, ¶22.] Second, the Court's preliminary approval order required class members to indicate whether they intended to appear at the Final Approval Hearing, [Dtk. 30], and no objector did so. Only one objection was filed to the settlement, the objection was limited to the amount of the attorneys' fees, and the objector expressly indicated that she did not intend to appear at the Final Approval Hearing. [Dkt. 46.] Third, after the Court sets revised dates, the parties recommend that those dates be posted to the settlement website, which will apprise interested class members, notwithstanding the lack of any requirement to do so.

For these reasons, the parties therefore jointly recommend that the Court order them to submit a status report within seven days of Judge Rau's decision on Life Time's motion to compel.

Dated: July 31, 2015

Respectfully submitted,

s/ Aaron D. VanOort

Aaron D. Van Oort
Bar Number 315539
Erin M. Verneris
Bar Number 0335174
Erin L. Hoffman
Bar Number 0387835
Elsa M. Bullard
Bar Number 0392113
Attorneys for Defendant
Life Time Fitness, Inc.
FAEGRE BAKER DANIELS LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
Telephone: (612) 766-7000
Fax: (612) 766-1600
aaron.vanoort@FaegreBD.com
erin.verneris@FaegreBD.com
erin.hoffman@FaegreBD.com
elsa.bullard@FaegreBD.com

s/ Shawn J. Wanta

Shawn J. Wanta
Bar Number 0389164
Plaintiffs' Lead Counsel
BAILLON THOME JOZWIAK
& WANTA LLP
100 South Fifth Street, Suite 1200
Minneapolis, MN 55402
Telephone: (612) 252-3570
sjwanta@baillonhome.com